



DuPont Legal, Environment Group
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September 12, 2013

VIA ELECTRONIC MAIL & EXPRESS MAIL

912231

Leslie Blake, Remedial Project Manager
U.S. Environmental Protection Agency — Region 5
Superfund Division (SR-6J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Gary Development Landfill Special Notice Letter Dated February 25, 2013 From Joan Tanaka, EPA Region 5, to "PRP List" - Request for Time Extension

Dear Ms. Blake:

The referenced Special Notice Letter regarding the Gary Development Landfill (GDL) was addressed to ten companies and one individual. The letter requested the addressees make a good faith offer to conduct the Remedial Investigation/Feasibility Study (RI/FS) for the GDL Site. The ten companies attended the meeting hosted by EPA March 19 at the Region 5 office in Chicago. Since that time Region 5 has issued General Notice Letters to Ashland, 3M, US Steel, and Cargill/Cerestar. Ashland, 3M and Union Tank Car have joined the group of cooperating companies (Group), listed below. By letter of June 25, 2013, EPA extended the time to respond to the Notice Letters to September 9, 2013. This letter is a request by the Group for an additional extension of time. On September 9 we informed Mr. Jeffrey Cahn, Assistant Regional Counsel, we would be making this request.

A time extension is necessary for several reasons. The Group has been working diligently to gather the information necessary to decide upon a good faith response. We have retained History Associates to organize the historic information on site conditions and site users that has been provided by Region 5 and The Indiana Department of Environmental Management (IDEM). The available documents indicate that the dominant users of the site were USS Lead, LTV, Jones & Laughlin, and US Reduction, each now defunct. We continue to work with IDEM and the Indiana State Archives to track down possibly relevant documents and microfilm that may identify additional parties.

The Group also has formed a Technical Committee to determine the scope and cost of the RI/FS. We have retained Parsons Environment & Infrastructure Group as Technical Resource for the RI/FS, and de maximis as our Technical Coordinator. As you know, our technical team had a conference call with Region 5 technical and enforcement staff on August 27 to discuss the scope of the Statement of Work.

The Group would appreciate a time extension to allow us to track down additional responsible parties and determine the scope of the Statement of Work (SOW) and Work Plan. We appreciate the assistance EPA has provided in the form of Notice Letters to parties as we find

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additional documents. We are hoping to find more such documents in the ongoing work with IDEM and the Indiana Archives. We plan to submit our comments on the draft SOW shortly. We would appreciate a meeting or call with Region 5 thereafter to discuss our comments, and ideally make some progress on the Work Plan. Feedback from the Region will allow the Group to estimate costs and to establish a date by which the Group can make a good faith offer, or not. In the interim, we are going about selecting a common counsel. We will continue our work to identify parties and commence an allocation process.

We believe these efforts by the Group warrant additional time for our response to the Notice Letters.

Sincerely,



Bernard Reilly
Corporate Counsel

cc:

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Companies Requesting Time Extension

3M Company
American Chemical Service, Inc.
Ashland Inc.
Borg Warner Transmission Systems, Inc.
BP Products North America Inc.
Brandenburg Industrial Service Company
E. I. du Pont de Nemours and Company (DuPont Company)
Georgia-Pacific LLC
Legacy Vulcan Corp., f/k/a Vulcan Materials Company
Union Carbide Corporation
Union Tank Car Company
Waste Management of Indiana, LLC